

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

FILED

MAR 10 2003

DAVID W. PAULI, CLERK
US DISTRICT COURT
BY JP DEPT. OF JUSTICE


FELIPE DE JESUS DE LUNA-GUERRERO and)
BALDOMERO GUTIERREZ DE LUNA, on)
behalf of themselves and all other similarly)
situated persons,)
Plaintiff,)
v.)
THE NORTH CAROLINA GROWER'S)
ASSOCIATION, INC., and MARCUS)
THIGPEN, on behalf of himself and all)
other similarly situated members of the)
North Carolina Growers Association, Inc.,)
Defendants.)

Civil Action No.:
4:02-CV-173-H(4)

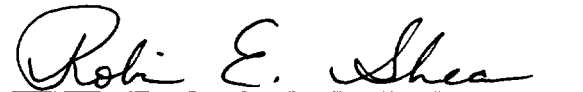
NAMED DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants The North Carolina Growers Association, Inc., and Marcus Thigpen ("the Named Defendants"), pursuant to Rule 56 of the Federal Rules of Civil Procedure, hereby move for an award of summary judgment in their favor. Based on the pleadings and affidavits filed in this case, as well as the authorities discussed in the Memorandum of Law in Support of Named Defendants' Motion for Summary Judgment, the Named Defendants submit that there is no genuine issue of material fact and that they are entitled to judgment as a matter of law.

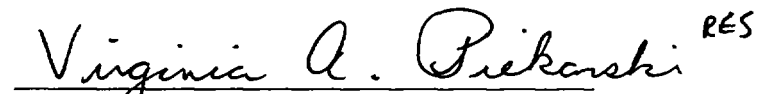
This the 10th day of March, 2003.



W. R. Loftis, Jr.
N.C. State Bar No. 2774



Robin E. Shea
N.C. State Bar No. 15862



Virginia A. Piekarski
N.C. State Bar No. 25823

Note:

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